

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA,

Plaintiff,

v

No. 1:12-CV-1349

TERRY S. JOHNSON, IN HIS OFFICIAL
CAPACITY AS ALAMANCE COUNTY SHERIFF

Defendant.

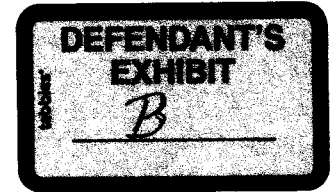
Deposition
of

BRIAN ALLEN

In Greensboro, North Carolina
Wednesday, June 19, 2013
8:56 a.m.

Reported by:

Victoria L. Pittman, BA, CVR-CM-M
for Margaret Powell, CVR-M
Certified Verbatim Reporter
(919) 779-0322



1 things about if a person doesn't have identification,
2 you should take them to jail. Right?

3 A Yes.

4 Q Have you ever heard the sheriff say that if a
5 deputy stops a car driven by a Mexican, the deputy
6 should take the person to jail and not just cite him?

7 A No.

8 Q To your knowledge, has the sheriff ever
9 indicated that he would prefer Hispanic drivers be
10 arrested for traffic violations?

11 A No, I haven't -- not just singling out the
12 Hispanics.

13 Q Have you ever heard other officers talk about
14 that?

15 A Not to my knowledge.

16 Q Have you ever heard anyone in the command
17 staff say anything like that?

18 A No.

19 Q Have you ever heard other ACSO officers make
20 comments about getting Mexicans or Hispanics or
21 arresting them?

22 A No, not the ones I've been around. Like I
23 said, you know, we have -- there's a lot of people, a
24 lot of patrol officers there, and I just basically deal
25 with mine. And I know what mine do, and I knew what

1 they say and how they work. And mine haven't, and to
2 my knowledge, I haven't heard of anybody else saying
3 that.

4 Q Do you know other officers who have a
5 reputation for liking traffic enforcement work?

6 A I'm sure I could probably name some that like
7 it.

8 Q Who enjoys it?

9 A Well, of course, the traffic team.

10 Q Who is on the traffic team now?

11 A Brandon Wilkerson is the sergeant. And Sam
12 Ray. I think that's the only two.

13 Q How long have they been on the traffic team?

14 A I don't know, but it's been a while.

15 Q What about other deputies not on the traffic
16 team?

17 A Well, there's others in the department that I
18 understand are proactive in traffic.

19 Q Who might those be?

20 A Let's see. Probably -- I know Amanda McGill
21 because she stops everything that's rolling. Of
22 course, that's -- we won't go into that. That's
23 personal.

24 Her. I know -- let's see -- Troy Anthony;
25 when he was on my shift, he was proactive in traffic.

1 to stop someone, like, at the beginning of the shift
2 and then going through 12 hours of doing everything
3 else, and they just forget.

4 Q Sure.

5 Have you ever worked in the special
6 operations unit?

7 A No.

8 Q We were talking about the chain of command.

9 Has the sheriff ever just talked to you
10 one-on-one?

11 A No.

12 Q Never?

13 A No. I don't talk to him. I mean, I'm being
14 honest; I just don't talk to them.

15 Q Sure.

16 What about passing you in the hallway?

17 A That's about the only time.

18 Q Has the sheriff ever passed you in the
19 hallway around the time of a shift change and said to
20 you, "Go out there and catch me some Mexicans"?

21 A I don't think so. Because he'd be wasting
22 his breath if he told that to me. Because I -- I don't
23 recall him ever saying that because, like I said, I
24 don't have very many interactions with him.

25 Q Occasionally, he passes you in the hallway

1 and will make certain comments?

2 A Oh, I'm sure he does.

3 Q What comments has he made?

4 A I mean, just other than general conversation?
5 I mean, that's basically it because like I said, I'm
6 never around him. I go to the office in the mornings
7 or in the evenings when I start, and I don't come back
8 until at the end of the shift.

9 Q Do you remember anyone ever discussing with
10 you a comment such as "Go out there and catch me some
11 Mexicans"?

12 A I don't think so.

13 Q Do you remember discussing a comment like
14 that with anyone else?

15 A The only thing that I can actually recall --
16 and I don't know when it was -- that he said that
17 because of the 287(g) and the marshals service, that
18 the County was making money off of it.

19 And to me, I mean, that's kind of strange,
20 strange way to make money. But, I mean, that's
21 basically -- I mean, if he has, I don't remember. And
22 that's the God's honest truth. Because like I said,
23 I'm not around him much, and that's my choice.

24 Q Do you know what he meant about making money
25 off of them? What does that mean?